

10/500019 #2

149 Rec'd PCT/PTO 23 JUN 2004  
Customer No. 22,852  
Attorney Docket No. 08257.0004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Roberto AVALLONE et al. )  
) Group Art Unit:  
Application No.: Not Yet Assigned )  
) Examiner:  
Filed: June 23, 2004 )  
)  
For: OPTICAL TRANSMISSION )  
SYSTEM WITH RAMAN )  
AMPLIFIERS COMPRISING A )  
SUPERVISORY SYSTEM )

**U.S. National Phase of International Application No. PCT/EP01/15332**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

DT09 Rec'd PCT/PTO 23 JUN 2004

The following are listed on the accompanying PTO-1449 and are in a non-

English language:

1. German Application No. 100 10 237 A1

In lieu of a statement of relevance or the translation of this non-English document, enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing this document and setting forth the relevance thereof.

2. European Application No. 0 504 777 B1 - The relevance of this document is discussed at pages 1 and 2 of the specification of the present application and in the English language claims at columns 12-14 of the document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2004

By:

  
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/gah

## INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

|                                   |   |
|-----------------------------------|---|
| Atty. Docket No. 08257.0004       | Application No. <b>10/500019</b><br><b>DT09 Rec'd PCT/PTO 23 JUN 2004</b> |
| Applicant Roberto AVALLONE et al. |   |
| Filing Date June 23, 2004         | Group:  |

## U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date (Pub. Date) | Name            | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------------------|-----------------|-------|-----------|----------------------------|
|                   | 2001/0003486 A1 | (06/14/2001)           | Mikami          |       |           |                            |
|                   | 6,188,508 B1    | 02/13/2001             | Horiuchi et al. |       |           |                            |
|                   | 5,625,481       | 04/29/1997             | Tamura et al.   |       |           |                            |
|                   | 6,111,687       | 08/29/2000             | Tammela         |       |           |                            |

## FOREIGN PATENT DOCUMENTS

| Document Number | Publication Date | Country        | Class | Sub Class | Translation Yes or No |
|-----------------|------------------|----------------|-------|-----------|-----------------------|
| 0 504 777 B1    | 09/23/1992       | Europe         |       |           | Claims only           |
| 0 669 730 A2    | 08/30/1995       | Europe         |       |           |                       |
| 0 917 313 A2    | 05/19/1999       | Europe         |       |           |                       |
| 100 10 237 A1   | 09/13/2001       | Germany        |       |           | No                    |
| 2 314 224       | 12/17/1997       | United Kingdom |       |           |                       |
| 0 675 610 A1    | 10/04/1995       | Europe         |       |           |                       |
| 0 751 635 A2    | 01/02/1997       | Europe         |       |           |                       |
| 1 122 898 A1    | 08/08/2001       | Europe         |       |           |                       |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| Maeda et al.; "REMOTE SUPERVISORY SYSTEM OF FSA-WDM SYSTEM"; NTT Review, Vol. 12, No. 4, pages 25-31, (2000) |
| Agrawal; "NONLINEAR FIBER OPTICS"; Academic Press Inc., pages 317-319, (1995)                                |
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|---|---|
| Examiner  | Date Considered   |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |
| Form PTO 1449   | Patent and Trademark Office - U.S. Department of Commerce |